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REMARKS

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Responsive to the Office Action dated March 23, 2006, Applicant has by the foregoing, cancelled claims 2, 4, 22 and 34-41, amended claims 1, 3, 5, 6, 9, 21, 23 and 27-31, and added new claims 42-48 for consideration by the Examiner. Accordingly, remaining in the application are independent claim 1 with its dependent claims 3, 5-20 and 42; independent claim 21 with its dependent claims 23-33, 43 and 44; and independent claim 45 with its dependent claims 46-48.

In the Claims

Claims 34-41, having been withdrawn from consideration as being directed to a non-elected invention, have been cancelled, without prejudice, by the foregoing amendments, and may be pursued by way of a later filed divisional application.

Rejections on the Art

The Office Action indicates that claims 1, 4, 16-23, 25 and 26, as originally presented, are rejected under 35 U.S.C. §102(b) as being anticipated by Vaill. By the above amendments, claims 4 and 22 have been cancelled. Additionally, independent claims 1 and 21 have been amended to include elements not taught or suggested by Vaill. As such, independent claims 1 and 21, along with at least claims 16-20, 23, 25 and 26 that depend therefrom, patentably define over the teachings of Vaill.

The Office Action also indicates that the claims 2, 3, 5, 6-15, 24 and 27-33, as originally presented, are rejected under 35 U.S.C. §103(a) as being obvious over Vaill in view of Fentress, Diebolt and/or Maxwell, in various combinations. For at least the reasons discussed herein below, the subject claims, as presented herein, are not properly rejected on the bases asserted in the latest Office Action at least because: 1) the documents of record do not teach or suggest all of the elements in the claims as currently presented; and/or 2) the Office Action did not present a proper *prima facie* case of obviousness.

More specifically, independent claims 1 and 21 as well as new independent claim 45 each recite an arrangement in which a non-corrugated wall portion of the flexible tubing is at least partially received within an inner wall portion of the end fitting, and a quantity of brazing material is disposed within the space formed between these two portions. Such an arrangement is not taught by the documents of record. Rather, Vaill generally discloses the

disadvantages associated with the use of brazed connections, without teaching any specific details of the connection or interface between the components (e.g., the flexible tubing and end fitting). Furthermore, the remaining documents of record (namely, Copeland and McIntosh) are specifically directed to butt joint-type brazed connections. As such, the art of record does not teach or suggest telescopically arranged components that are secured together using a brazed connection, as presented in the pending claims, as currently amended.

Additionally, Vaill indicates that there are specific disadvantages to the use of brazed and welded connections. As discussed in detail on page 1 in column 1 thereof beginning at about line 25, Vaill states that one disadvantage of attaching fittings to a flexible metal tube by brazing or welding is the expense that is commonly associated therewith. Vaill further discusses that the high temperatures associated with brazing and welding processes anneal the metal tube, which can undesirably impact the same. Similarly, Fentress states in column 1 of page 3 thereof beginning at about line 46 that the welding process employed in Fentress eliminates the danger of undue heating of the metal parts, which can occur in brazing or soldering operations where flames, torches and the like are used. As such, Applicant respectfully submits that at least these documents cannot properly be relied upon to provide any suggestion or motivation for modifying the teachings of the art of record to form a *prima facie* case of obviousness.

Furthermore, there is no teaching or suggestion of using a brazed connection to secure plated end fittings on a length of flexible tubing. The Office Action relies upon Diebold to teach that it is known to use end fittings that are plated. Diebold, however, is directed to a tubing construction that utilizes polymeric tubing and a polymeric coating with end fittings that are mechanically or adhesively secured on the plastic tubing. There is not teaching in Diebold of using flowed-metal connections, such as brazed joints, to secure the plated end fittings on the tubing. Further still, there is not suggestion or motivation for using such a brazed connection, as the same would be ill-suited for use with such a polymeric tubing construction. Accordingly, there is no teaching, suggestion or motivation in the art of record for combining the use of plated end fittings with brazed connections for securing the plated end fittings on the length of tubing.

Also, at least dependent claims 16-19 and independent claim 21 recite the inclusion of a sheath that extends along the length of tubing and is secured on or along the tubing

end. The sheath is secured separately from the brazed connection, such as by using a ring that compressively engages the sheath. According to Applicant's reading and understanding of the art of record, none of the cited documents teach or suggest the use of a brazed connection to secure the end fitting on the tubing and a separate connection for securing the sheath on or along the tubing. Rather, documents such as Copeland and McIntosh teach arrangements in which the filler material engages and at least partially secures the sheath on the length of tubing. As such, Applicant respectfully submits that there is not teaching, suggestion or motivation for forming the arrangement recited in the presently amended claims.

For at least the foregoing reasons, Applicant respectfully submits that the claims, as presented herein, distinguish over the documents of record because the same do not teach or suggest all of the claimed features and for those features that are taught that there is no suggestion or motivation for modifying the documents in the manner presented in the pending claims, as amended. Additionally, Applicant respectfully requests consideration of new independent claim 45 along with claims 46-48, which depend therefrom, in light of the foregoing remarks, and earnestly solicit an early indication of allowability.

CONCLUSION

It is respectfully submitted that the foregoing amendments and discussion are fully responsive to the latest Office Action and that the claims are in proper form. Having addressed all of the outstanding objections and/or rejections, the subject application is now believed to be in condition for allowance. Reconsideration of the claims and an early notice of allowability is earnestly solicited.

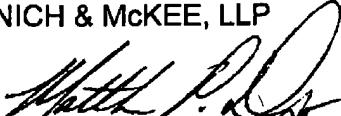
Alternatively, in the interests of compact prosecution and advancing this application to issue, Applicants respectfully request that the Examiner telephone the undersigned to discuss any of the foregoing and/or to make any suggestions that the Examiner may have to place the case in condition for allowance.

Respectfully submitted,

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July 20, 2006

Date



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